

SECTION 23 RESORT (R)

23.1 Intent: The intent of this district is to provide for planned resort development that include visitor accommodations, residential uses, recreational facilities and food service.

23.2 Minimum Lot Size: Forty acres.

23.3 Minimum Requirements: Any development proposal within the Resort District shall include, at a minimum, visitor accommodations, at least two of the recreational facilities listed in Section 23.4j and a food service facility. If a phased development proposal is submitted, these requirements shall be met in the first phase.

23.4 Permitted Uses:

- a. Accessory garages, parking, loading facilities, fences, hedges and walls.
- b. Bus shelters and bus turnouts.
- c. Caretaker residence.
- d. Convention and meeting facilities.
- e. Employee housing.
- f. Guest ranches.
- g. Hotels and motels.
- h. Multi-family dwellings.
- i. Open space.
- j. Outdoor and indoor recreational facilities, including but not limited to golf courses, driving ranges, ice skating rinks, tennis courts, cross country ski facilities, racquet ball and handball courts, equestrian centers, multi-use trails, swimming pools, ski trails and lifts, hunting and fishing facilities and educational facilities.
- k. Picnic areas.
- l. Playgrounds and parks.
- m. Rental and sales of sports equipment, not to exceed 1,500 square feet of floor space.
- n. Restaurants and cafes, bars and lounges as accessories to the principal use.
- o. Single-family dwellings.
- p. Sports/recreation instruction.

23.5 Conditional Uses:

- a. Accessory uses not listed in Section 23.4.
- b. Airports.
- c. Beauty and barber shops which are accessory to the principal use.
- d. Campgrounds.
- e. Gambling establishments, only within hotels.

- f. Health and exercise facilities which are accessory to the principal use.
- g. Limited retail sales which are accessory to the principal use.

(Amended: County Commission Resolution No. 2007-001)

SECTION 23 RESORT (cont.)

23.5 Conditional Uses: (cont.)

- h. Planned unit developments.
- i. Rental and sales of sports equipment in areas exceeding 1,500 square feet.
- j. Roof-mounted satellite dish antennas.
- k. Structures over 35 feet in height.
- l. Utility service operation facilities.

23.6 Density: The density is shown on the Official Zoning Map as the total number of units allowed as a matter of right. Units are calculated as follows:

- a. Single-Family Dwellings: Each single-family dwelling is the equivalent of one unit.
- b. Multi-Family Dwellings: Each separate dwelling unit within a multi-family dwelling structure is the equivalent of one unit. For example, a four-plex counts as four units.
- c. Hotels and Motels: Two sleeping or lodging rooms are the equivalent of one unit. For example, a 100-room motel would count as 50 units.

23.7 Required Setbacks:

Front:	20 feet
Side:	10 feet
Rear:	10 feet

23.8 Minimum Lot Width: 500 feet

23.9 Maximum Building Height: 35 feet, unless approved as a conditional use according to the procedures of Section 41.

23.10 Additional Standards: See Development Standards.

23.11 Off-Street Parking: See Section 34.

*(Amended: County Commission Resolution No. 1997-81
(Amended: County Commission Resolution No. 2007-001)*

SECTION 24 PLANNED UNIT DEVELOPMENT (PUD) OVERLAY DISTRICT

24.1 Intent: The intent of this overlay district is to:

- a. Preserve and enhance the natural amenities of the land and protect the natural features of the site.
- b. Protect areas of important wildlife habitat.
- c. Enhance the visual impact of development.
- d. Create and preserve usable open space for recreational and aesthetic enjoyment within the planned unit development.
- e. Permit flexibility of design for the placement, height, density and setbacks of buildings, interior circulation and off-street parking areas.
- f. Preserve important site vegetation, outstanding natural topography and geologic features, while preventing soil erosion.
- g. Cluster development effectively on those portions of land best suited to development and preserve valuable natural resources.
- h. Promote development in accord with the goals and objectives of the Gallatin Canyon/Big Sky Plan.
- i. Provide economies in the supply of utility service operations and other public services.

24.2 Application Procedure:

- a. Preapplication Meeting. A minimum of 30 days prior to the date of application submittal, the applicant shall meet with a member of the Planning Staff to review the appropriate procedures, standards, documentation and any other requirements, including design standards, necessary for the complete processing of the application. Staff may consult with service providers regarding the planned unit development impacts.
- b. The application shall be submitted by the legal owner(s) or authorized agent(s).
- c. The planned unit development shall be reviewed as a conditional use according to the provisions of Section 41.

24.3 Submittal Requirements. All planned unit development applications shall include 10 copies of the following:

- a. Completed and signed conditional use permit application form.
- b. All applicable fees.
- c. A traffic study, if the proposed development will generate 500 or more vehicular trips per day.
- d. A site plan showing:
 - 1. Property lines and easements, with dimensions and area.
 - 2. Topographic information.
 - 3. Existing vegetation, wildlife habitat, watercourses, wetlands, soil types and floodplains.
 - 4. Existing land uses.
 - 5. Location and dimensions of existing and proposed structures, utilities, trails and improvements.
 - 6. Land use designations.
 - 7. General circulation system, including streets and multi-use pathways.
 - 8. Number and types of dwelling units.
 - 9. Number of off-street parking places.
 - 10. General landscape plan.
 - 11. Amount and location of open space.
 - 12. Amount, location and use of common space.
 - 13. Proposed treatment of perimeter boundary of the planned unit development.
- e. Proposed covenants and homeowner's association, documents which provide for the maintenance of common areas, appropriately limit the use of open space, assign the right to use common property to each lot owner and provide for association assessments.
- f. Standards for principal and accessory uses:
 - 1. Minimum lot areas.
 - 2. Minimum lot width.
 - 3. Minimum yard setbacks.
 - 4. Maximum building heights.
 - 5. Maximum lot coverage.

- g. If a planned unit development is not required to be reviewed as a subdivision, the applicant must submit information on water supply and

sewage treatment, public safety (including fire, police, emergency medical response and road access) and historic or archeological resources.

- h. Projected population.
- i. Proposed development schedule and phasing, if applicable.

24.4 Applicability: The PUD district may be combined with any other district except the PL District to provide superior design in development. Planned unit developments within the RC-SF-1 through RC-SF-100 districts shall comply with the requirements of Section 35 Residential Cluster Development.

24.5 Standards:

- a. The minimum size for a PUD shall be 10 acres.
- b. Planned unit developments may be composed of a single use or a mixture of uses, when consistent with the underlying district, and the GC/BS Plan.
- c. Structures in a planned unit development need not comply with the specific height and building size requirements of the underlying zoning classification.
- d. The site design shall consider the relationship of the site to the surrounding area. The site perimeter shall be designed to minimize undesirable impacts between the site and surrounding uses.
- e. The development shall comply with the applicable standards of Section 29 General Development Standards.
- f. Open space areas may either be held/owned perpetually in common by an owners' association, dedicated as a park, permanently preserved through a conservation easement, or a combination thereof. The application shall specify the means of maintaining common open space or of permanently preserving it. Open space owned in common by an owners' association shall comply with the criteria established under Section 35.11 (f) of these regulations.

24.6 Review Criteria:

The Planning and Zoning Commission must find that the applicant has demonstrated the following: (1) that the intent, purpose and standards of

this Section have been met, and (2) that the planned unit development serves the public interest, or that the development plan for a planned unit development has met each of the following criteria:

- a. There is an appropriate relationship to the surrounding area. The buffer zone shall be landscaped, screened or protected by natural features, so that any adverse impacts on surrounding areas are minimized.
- b. When compared to a conventional development, the planned unit development maximizes the preservation of natural features, including trees, drainage areas, recreation, views, wildlife habitat and riparian areas.
- c. Multi-use trails have been designed in terms of safety, convenience and access to points of destination and/or historically used trails have been preserved.

(Amended: County Commission Resolution No. 1997-81)

(Amended: County Commission Resolution No. 1998-25)

24.7 Master Planned Unit Development (Master PUD). The intent of the Master PUD designation is to permit the approval of a master plan for individual parcels or a series of contiguous parcels greater than 40 acres in area. Once a Master PUD is approved, phased development may occur following the approval of a (regular) PUD for any and all subsequent phases. Approval of a Master PUD shall establish land uses, overall project densities, designation of development envelopes including maximum envelope densities, general location of roads and utilities, and amount and location of open space.

24.8 A Master PUD shall be designed in accordance with the following standards:

- a. A Master PUD shall permit all Permitted Uses identified in the underlying zoning or when otherwise compatible with the Gallatin Canyon/Big Sky Plan.
- b. A Master PUD may be composed of a single use or a mixture of uses.
- c. Site Size. The minimum size for a Master PUD will be 40 acres.
- d. Residential Density. Density shall not exceed densities established under Residential Districts per the particular residential types set forth in the zoning regulation.

- e. Design. The Master PUD shall be designed and developed in a manner compatible with and complementary to existing and proposed uses of the area. Further, the Master PUD shall relate harmoniously to the natural environment.

- f. Open Space. Wherever possible, the Master PUD should promote the preservation of open space.
- 24.9 Master PUD Review Procedure. The procedure for obtaining approval of a Master PUD shall be as follows:
- a. All applications for Master PUD permits shall be filed with the Planning and Zoning Commission accompanied by the required fee.
 - b. The Planning and Zoning Commission shall cause to be made such investigation bearing on the application as will provide necessary information to assure that the action on each application is consistent with the intent and purpose of these regulations.
 - c. Upon completion of the investigation, the Planning and Zoning Commission shall hold a public hearing to gather needed facts from all interested parties. The Planning and Zoning Commission may continue the hearing, if need be, to take additional information. Thereafter, the Planning and Zoning Commission shall either approve or deny the application. A letter shall be sent to the applicant stating either conditions of approval or reasons for denial.
 - d. Notice of public hearing for Master PUD permits shall be published at least once 15 days prior to the hearing in a newspaper of general circulation within the County. Adjacent property owners shall be notified by certified mail.
 - e. The Planning and Zoning Commission may make the granting of a Master PUD permit subject to reasonable limitations or conditions as it may deem necessary. However, since a PUD application (or Land Use Permit) must be granted for each subsequent incremental development proposed under the Master PUD, the Planning and Zoning Commission should determine compliance with the applicable Development Standards (sections 29 through 37) and Conditional Use Permits at the time of PUD application, rather than during review and approval of a Master PUD.

24.10 Master PUD Application Requirements.

- a. Preapplication Meeting. A minimum of 30 days prior to the date of application submittal, the applicant shall meet with a member of the Planning Staff to review the appropriate procedures, standards, documentation and any other requirements necessary for the complete processing of the applications. The Planning Staff may consult with service providers regarding the development impacts of the Master PUD.

- b. Submittal Requirements. All Master PUD applications shall include 10 copies of the following:

1. Completed and signed Master PUD application form.
2. All applicable fees.
3. A traffic study, if the proposed development will generate 500 or more vehicle trips per day.
4. A Master Site Plan showing:
 - Property lines and easements, with dimensions and area.
 - Topographic information.
 - Existing vegetation, wildlife habitat, watercourses, wetlands, soil types and floodplains.
 - Existing land uses.
 - Location and dimensions of existing structures, utilities, trails and improvements.
 - Generalized development-envelopes for proposed uses and structures.
 - Generalized locations of proposed utilities, trails and improvements.
 - General circulation system, including streets and other roads, and multi-use pathways.
 - Approximate number (minimum and maximum) and type of dwelling units for each development envelope. Total number of dwelling units shall not exceed maximum permitted under density regulations.
 - Statement of landscape concept.
 - Amount and location of open space.
 - Amount, general location and use of common space.
 - Proposed treatment of the perimeter boundary.
5. A statement of principles governing a subsequent property owners' association or similar entity responsible for the enforcement of conditions. Such principles should cover topics such as environmental stewardship, maintenance, limitations on use of open space, assessments, etc.
6. Submit a master environmental assessment which addresses the following at a generalized level of detail; environmental assessments for each subsequent regular PUD application will be governed by applicable PUD requirements.
 - Soils.
 - Geology.
 - Hydrology.

- Wildlife.
- Vegetation.

7. Preliminary information on water supply and sewage treatment, public safety (including fire protection, police, emergency medical response and road access) and historic or archeological resources.
8. Proposed PUD phasing schedule.
9. Show proof of compliance with any recorded covenants on the property.

24.11 Master PUD Approval. Approval of a Master PUD formally establishes permitted and designated land uses, overall project densities, locations of development envelopes (i.e. generalized development sites) including uses and maximum densities for each envelope, general location of roads and utilities, and amount and location of open space.

Approval of a Master PUD does not replace approval of Land Use Permits for construction. Once a Master PUD is approved, phased development may occur only through the approval of a (regular) PUD(s) for any and all development phases.

Approval of a Master PUD shall be granted for an initial period of six years. A Master PUD may be renewed and/or modified upon review and approval by the Planning and Zoning Commission.

Approval of a Master PUD, or any amendment to an approved Master PUD shall only be granted by the Planning and Zoning Commission when their findings are that:

- a. The Master PUD conforms to the objectives of the Gallatin Canyon/Big Sky Plan.
- b. The Master PUD meets all applicable mechanical requirements of these regulations, i.e., densities, and open space.
- c. Development under the Master PUD will not materially adversely affect nearby properties or their occupants.
- d. Development under the Master PUD will not materially adversely damage the natural environment and is consistent with the environmental values set forth in the Gallatin Canyon/Big Sky Plan.
- e. The Master PUD is based on a sufficient level of detail in the supporting information to ensure that the potential entitlements granted under the Master PUD is equivalent to the level of supporting information.

- f. A public hearing has been held, after legal notice has been given and the public has been given a chance to be heard upon the matter.

24.12 Approval of a PUD prepared subsequent to a Master PUD

- a. Subsequent PUDs shall be consistent with the Master PUD.
- b. If subsequent PUD applications contain more detailed information that is contrary to findings set forth in support of the Master PUD or fail to demonstrate adequacy of mitigation measures, Land Use Permits may not be granted at the level of development indicated in the Master PUD. Such development indicated in the Master PUD, may however, be relocated within the Master PUD if supporting data so warrants.
- c. Review and approval of subsequent PUDs shall be restricted to the area delineated within the PUD unless density relocation is required. If density relocation is necessary, review and approval shall be limited only to the affected area.
- d. If a subsequent PUD requires modification of the Master PUD, the Master PUD shall be automatically modified upon approval of the subsequent PUD.

(Amended: County Commission Resolution 1998-02)